United Nations S PV.6237

Security Council

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Official communiqué of the 6237th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 10 December 2009, at 3.15 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 10 December 2009, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 6237th meeting in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure, via video teleconference, by Mr. Alan Doss, Special Representative of the Secretary-General and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.

"Members of the Council, Mr. Doss and representatives of participating troop-contributing countries had an exchange of views."

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United Nations S/PV.6238

Security Council

Sixty-fourth year

Provisional

6238th meeting

Monday, 14 December 2009, 10 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Austria	Mr. Mayr-Harting
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Shalgham
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

09-64650 (E)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of subsidiary bodies of the Security Council

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear briefings by Ambassador Le Luong Minh, Permanent Representative of Viet Nam and Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone; Ambassador Ranko Vilović, Permanent Representative of Croatia and Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and of the Working Group established pursuant to resolution 1566 (2004); Ambassador Abdurrahman Mohamed Shalgham, Permanent Representative of the Libyan Arab Jamahiriya and Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia; Ambassador Jorge Urbina, Permanent Representative of Costa Rica and Chairman of the Security Council Committee established pursuant to resolution 1540 (2004); and by myself, as Permanent Representative of Burkina Faso and Chairman of the Security Council Committee established pursuant to resolution 1518 (2003) and of the Security Council Committee established pursuant to resolution 1636 (2005).

I now give the floor to His Excellency Ambassador Le Luong Minh, Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone.

Mr. Le Luong Minh (Viet Nam): In my capacity as Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, I would like to report to the Council on the work of the Committee during the period of 2008-2009 and share my assessment on the way forward.

Since the adoption of resolution 1132 (1997), Sierra Leone has achieved tangible progress in the course of peace consolidation, socio-economic reconstruction and international reintegration. Despite the still fragile security situation, which requires sustained attention, the parties in Sierra Leone remain committed to a cessation of all acts of political violence and to a bipartisan consensus on important national policies. The Government has proceeded with its Agenda for Change, and incremental results have been achieved in the areas of combating corruption, reforming the security sector, creating jobs and empowering youth. The cooperation between Sierra Leone and the United Nations country team, the Peacebuilding Commission and other development partners has been further strengthened within the framework of the United Nations peacebuilding strategy for Sierra Leone and the Joint Vision of the United Nations family for Sierra Leone.

However, Sierra Leone today is facing the emerging threats of piracy, drug trafficking, illegal trade in natural resources, uncontrolled migration to urban centres and other adverse effects of the global financial downturn, all of which have the potential to create an environment conducive to violence and instability.

It is in that context that the relevant functions and activities of the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone have evolved. The Council originally mandated the Committee to oversee the implementation of the sanctions measures set out in that resolution, which consist of an arms embargo on non-governmental forces in Sierra Leone and travel restrictions on members of the former military junta and of the Revolutionary United Front (RUF). The Committee was assigned amended mandates in resolution 1171 (1998) and then adapted its work with the lifting of the ban on the export of diamonds from Sierra Leone since 2003.

As of December 2009, the work of the Committee has been confined to tasks related to the embargo on the export of weapons to non-State actors in Sierra Leone and the travel ban imposed on individuals included on the Committee's list, who currently number six. Unlike some other sanctions bodies, the Committee has neither a panel of experts nor a monitoring group.

During the time of Viet Nam's chairmanship, while there have been no violations of the sanctions regime, a number of notifications of arms exports to Sierra Leone were brought to the attention of the Committee in a timely manner, in accordance with

paragraph 4 of resolution 1171 (1998). In a letter dated 7 January 2008, the Chairman of the Committee informed the Registrar of the Special Court for Sierra Leone of the adoption by the Security Council of resolution 1793 (2007), whereby the Council decided to exempt from the travel restrictions the travel of any witnesses whose presence at trial before the Court is required. In the same letter, the Chairman sought the agreement of the Court on notification procedures for the travel of listed individuals, which would be modelled upon those agreed between the Court and the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia.

In June 2008, upon the request of the Government of Sierra Leone and in light of overall developments in the country, the Committee held informal consultations to remove the names of 24 individuals from the list of those affected by the travel ban restrictions imposed by paragraph 5 of resolution 1171 (1998). The Chairman of the Committee addressed a letter to the Permanent Representative of Sierra Leone to the United Nations informing him of the Committee's decision, and then conveyed the latter's letter of request to the President of the Security Council for the attention and appropriate action of the Council.

In 2009, although no meetings were held, the Committee continued to maintain positive cooperation with the Special Court of Sierra Leone and issued a waiver of the travel ban against five former members of the RUF convicted by the Court so that they might serve their sentences in Rwanda.

Sierra Leone is now at a critical juncture of post-conflict peacebuilding, with many challenges ahead. The United Nations, regional organizations and Member States have a role to play in helping Sierra Leone to better fulfil its responsibilities under relevant Security Council resolutions, taking into due account the fundamental principles of respect for the political independence, sovereignty and territorial integrity of Sierra Leone. I maintain, however, that the spirit of targeted sanctions should be fully preserved so as to avoid adverse impacts on the livelihoods of civilians and that all sanctions regimes be reviewed and ultimately lifted once the underlying reasons for the imposition of such sanctions are no longer valid. Given the prevailing trend of peace and reconciliation in Sierra Leone, the Council may wish to initiate such a process and dialogue after the trials of Charles Taylor.

In conclusion, I wish to thank all members of the Council for their support and cooperation in helping us to fulfil our duty. I also express my appreciation to the Security Council Subsidiary Organs Branch in the Department of Political Affairs, in particular Mr. Kiho Cha, for their untiring assistance to the work of the Committee and the Chairman.

The President (*spoke in French*): I thank Ambassador Le Luong Minh for his briefing.

I now give the floor the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and of the Working Group established pursuant to resolution 1566 (2004).

Mr. Vilović (Croatia): I thank you, Mr. President, for giving me the opportunity to speak today in my capacity as the Chairman of the Counter-Terrorism Committee. I have had the honour to preside over that important Committee in the second part of this year, so the comments I am about to make are my personal observations based on my experience. They are not attributable to any other delegation, nor should they be seen as a record of the work of that subsidiary organ. For a factual account of the work achieved over the past two years, I refer to the biannual briefings by the Chairman to the Security Council, the most recent of which was delivered on 13 November (see S/PV.6217).

I am pleased to note that Croatia has inherited the Committee in good standing from previous Chairs. Our basic approach to the new function was to keep the momentum going and to focus on achieving concrete results and fulfilling realistic objectives. We have benefited from the constructive atmosphere in the Committee. Any positive accomplishment is the result of all 15 members' working together. In the same vein, fulfilling our mandate would not have been possible without continued support and cooperation of Member States. In addition, we have established close working relationships with the Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED) and his expert team, as well as with the Secretariat, and I take this opportunity to express my gratitude for their valuable assistance.

When the Croatian Permanent Representative took on the chairmanship in January 2008, she did so in the wake of the adoption of resolution 1787 (2007), which postponed the review of the mandate of CTED due to the appointment of the new Executive Director,

Mr. Mike Smith. In January 2008, he presented to the Committee a revised organizational plan for CTED, which included several welcome innovations, such as more consistency in CTED's assessments, the establishment of five cross-cutting functional groups, a proposal to carry out flexible visits, stronger linkages with donors and enhanced cooperation with other Security Council subsidiary bodies as well as within the Counter-Terrorism Implementation Task Force. The implementation of those initiatives has brought new energy and focus to the operations of the Committee and CTED.

The organizational plan charted the way forward for CTED and served as a necessary element of Security Council resolution 1805 (2008). The resolution not only extended the mandate of CTED until the end of 2010, but also set the direction for the Committee for the next few years. Among other things, the resolution encouraged informal briefings for all interested Member States on the work of the Committee. Since we strongly believe that transparency is one of the guiding principles in our work, we have heeded this call of the Council and organized such briefings at regular intervals. I wish to inform the Council that I will give the final informal briefing, together with Mr. Smith, this coming Wednesday.

Over the past two years, the Committee has devoted a significant part of its operations to analysing and adopting, through its subcommittees chaired by France, the Russian Federation and Viet Nam, the Preliminary Implementation Assessments (PIAs). This new tool has greatly enhanced the dialogue with Member States on the implementation of resolution 1373 (2001). It also serves as the basis for two major initiatives, namely, the stocktaking of the implementation of resolution 1373 (2001) and the drafting of the report of the Committee on the survey of the implementation of resolution 1373 (2001) by Member States.

Stocktaking may be best described as the Committee's second reading of the PIAs after it has received responses from Member States to the original documents. It has proved to be a complex and lengthy exercise, which is putting to the test the Committee's and CTED's resources, especially at the subcommittee level. I would like to commend all those involved in this effort. Having said that, I believe that the cooperation of Member States is essential, and I call on them to remain committed to the dialogue with the Committee and CTED in this ongoing process.

Regarding the survey, allow me to stress that I am particularly pleased that it was during the Croatian chairmanship that the Committee adopted that report, the first of its kind since its establishment in 2001. The second, updated version has recently been approved, and the Council will hold consultations on that issue immediately after this morning's meetings. I believe that the survey should become the principal outcome of the Committee's work, useful for its outreach not only to counter-terrorism practitioners, but also to the wider public.

We have tried to keep the work of the Committee more relevant and interactive by organizing, on the basis of a CTED proposal, a series of thematic discussions of all major areas of implementation of resolution 1373 (2001), as well as by intensifying its dialogue with international, regional and subregional organizations. Since the beginning of 2008, the Committee has heard briefings by a dozen relevant organizations and United Nations bodies, including, for example, the European Union, NATO, the Organization for Economic Cooperation and Development, the United Nations Office on Drugs and Crime, the South American Financial Action Task Force on Money Laundering, the Organization for the Prohibition of Chemical Weapons and the United Nations High Commissioner for Human Rights. At our last meeting, which will be held on Thursday, 17 December 2009, a representative of the Council of Europe will brief the Committee on the major developments in the counter-terrorism field in that partner organization.

Furthermore, I would like to report that the Committee is currently testing a new paperless document distribution system, based on the self-service work space designed for team collaboration already in use in most Main Committees of the General Assembly.

Before concluding, allow me to express my appreciation to the delegation of France, which assumed the function of Acting Chairman of the Committee and played a crucial role in preparing the interim review of the work of CTED.

Finally, regarding the Working Group established pursuant to resolution 1566 (2004), I can report that the Group has neither held any meetings nor submitted any documents to the Council in the past two years.

The President (*spoke in French*): I thank Ambassador Vilović for his briefing.

I shall now deliver the report of Burkina Faso on the Security Council Committees established pursuant to resolution 1518 (2003) and 1636 (2005).

I have the honour of addressing the Council first on the activities of the Security Council Committee established pursuant to resolution 1518 (2003), which I chaired in 2008 and 2009. I would like to thank the delegations of Japan and of Belgium for having effectively fulfilled the functions the Vice-Chairmanship of the Committee.

Established on 24 November 2003 as the successor to the Security Council Committee established pursuant to resolution 661 (1990) concerning the situation between Iraq and Kuwait, the 1518 Committee is charged with continuing to identify, in compliance with paragraphs 19 and 23 of resolution 1483 (2003), individuals and entities whose funds or other financial assets or economic resources shall be frozen and transferred to the Development Fund for Iraq.

Under paragraph 23 of resolution 1483 (2003), that freeze and transfer apply to the funds, other financial assets and economic resources of individuals and of entities associated with the former Iraqi regime, that is, funds, other financial assets and economic resources removed from Iraq or acquired by Saddam Hussein or other senior officials of the former Iraqi regime or their immediate family members, including entities owned by those individuals or by other persons acting on their behalf or at their direction or controlled directly or indirectly by them, as well as funds, financial assets and economic resources of the former Iraqi Government or bodies, corporations or State institutions located outside Iraq.

In resolution 1518 (2003), the Security Council also decided that the Committee's mandate would be kept under review and that the Committee would establish whether Member States fulfilled the obligations incumbent upon them with respect to the arms embargo against Iraq, as reaffirmed in paragraph 10 of resolution 1483 (2003).

Since the beginning of our mandate in 2008, the Committee has actively monitored actions regarding the issue of the repatriation of certain Iraqi funds. In a note verbale dated 23 May 2008, the Permanent Mission of the Republic of Iraq to the United Nations confirmed to the Committee the third transfer of funds to the Central Bank of Iraq.

Although not having believed it necessary to hold meetings, the members of the Committee have continually consulted among themselves and considered several relevant issues brought to the Committee's attention, in particular with respect to requests for the de-listing of individuals and entities targeted by the freeze and the transfer of assets, transmitted by the focal point established under resolution 1730 (2006), as well as to be informed of the communications of States with regard to two de-listing requests submitted for an individual and an entity, respectively. Through the focal point, the Committee strove to provide the relevant information on its rules of procedure. After considering those requests, the Committee decided to keep that individual and that entity on the list, which now comprises 89 individuals and 208 entities.

In 2009, the Committee received a communication from a Permanent Mission expressing its concern about the difficulties encountered by its country in implementing the Security Council's resolutions, as well as a letter from a Permanent Mission requesting information on the decisions taken by the 661 Committee, whose work was terminated by paragraph 19 of resolution 1483 (2003). Although the latter request did not fall under its purview, the Chairman of the Committee contributed to providing follow-up by working with the Secretariat. I note nevertheless that one request for listing and one for de-listing have remained pending since 2007. As Chairman of the Committee, I have initiated informal steps vis-à-vis the members involved in order to address that question, which could happen in the near future.

With respect to the arms embargo imposed under paragraph 10 of resolution 1483 (2003), it remains ineffective because of the new context in which Iraq finds itself and the lack of a monitoring mechanism within the Committee. We therefore recommend that consideration be given to the Committee's mandate, despite the fact that resolution 1546 (2004) reminds States of the need to comply with their obligations in that regard, and the Government of Iraq to ensure implementation of the measures.

To conclude, I thank the members of the Committee for their constructive contribution to its work and for the quality of their cooperation. Allow me also to commend all the relevant parties for their understanding and cooperation. Lastly, I would like to thank the Secretariat for its tireless and diligent support to the Committee.

On behalf of the delegation of Burkina Faso, I wish every success to the next Chairman of the Committee, whose work contributes significantly, as I said, to Iraq's reconstruction.

The second report is on the Security Council Committee established pursuant to resolution 1636 (2005). The 1636 Committee is charged with listing, under the travel ban and asset freeze measures provided for in paragraph 3 (a) of that resolution, individuals designated by the International Independent Investigation Commission or the Lebanese Government as being suspected of involvement in the terrorist bomb attack of 14 February 2005 in Beirut, which claimed the lives of the former Lebanese Prime Minister, Rafiq Hariri, and of 22 other people.

In the same resolution, the Council also decided that the Committee would approve case by case requests for exemptions from the travel ban and the asset freeze measures, and the de-listing of an individual so that they are no longer affected by the travel ban and the asset freeze measures. It also decided to inform all Member States of the identity of individuals subject to those measures.

On 1 January 2008, when Burkina Faso assumed the chairmanship, the Committee had not listed any individual. Similarly, during Burkina Faso's chairmanship, the Committee held no meetings, given that, as affirmed in its reports to the Security Council, the International Independent Investigation Commission and the Lebanese Government had designated no individual subject to the measures provided for in paragraph 3 (a) of resolution 1636 (2005).

We believe that the administration of justice in the Hariri case will be an important element in consolidating peace in Lebanon. That is why we continue to believe that with the successful transfer of confidential information on this case between the International Investigation Commission and the Special Tribunal, the 1636 Committee will surely be called upon to play a more significant role in the future, in particular when the investigations and judicial procedures relating to the terrorist attack of 14 February 2005 enter a decisive phase.

I now resume my functions as President of the Council.

I give the floor to Ambassador Urbina as Chair of the Security Council Committee established pursuant to resolution 1540 (2004).

Mr. Urbina (Costa Rica) (*spoke in Spanish*): At this time, as Costa Rica is about to conclude its term as an elected member of the Security Council, and thus as I conclude my work as Chair of the 1540 Committee, I take special satisfaction in addressing the Council to share some ideas and opinions arise from my management of that Committee.

I am aware that my main responsibility today as outgoing Chair of the Committee is not to review the achievements, which will be reflected in pending reports, but instead to share with the Council the conclusions I have reached after these two years and thus to contribute to the decisions that should be adopted in the future in order to attain the objectives of the resolution.

The most important and urgent recommendation that I can make, as obvious as it may seem, is that if the Security Council really wants to achieve the objective of preventing the possibility that weapons of mass destruction could fall into the hands of non-State actors and be used by them, it is absolutely necessary to devote greater energy and greater resources to guaranteeing the implementation of resolution 1540 (2004).

The international community should no longer be satisfied to hear again and again that the implementation of the resolution is a process that will take many years. I believe it is necessary to summon the will in the Council, and in the Organization as a whole, to invigorate the instruments that contribute to the implementation of the resolution.

In my opinion, the five years that have passed since the adoption of the resolution have not allowed the progress we had hoped for as a direct consequence of the resolution. Certainly, better results could have been achieved. But what is important now is not what we have not achieved, but what we have been able to learn in order to improve the work of the Committee and to increase its efficacy.

The Committee's mandate was amended twice in five years, through resolutions 1673 (2006) and 1810 (2008), changes that significantly increased the workload but did not provide the new tools or resources to carry it out. Moreover, all the components

of that mandate involve a large number of specific tasks that overburden the Committee and exhaust the availability and capacities of the team of experts that supports its work.

The Committee, which began as an instrument to inform the Council about the implementation of the resolution by Member States in its first two years, was later entrusted with working on outreach and dialogue with Member States and international, regional and subregional organizations, and with acting as a catalyst for the process of sharing experiences and lessons learned. The Committee was also asked to establish relevant technical assistance capacities and to match the needs for and availability of such capacities. The Council also invited the Committee to pause its work and consider undertaking a comprehensive review on the status of the implementation of the resolution.

I cannot conclude this review without mentioning that representing the Committee in meetings around the world takes up the time of the Committee's members and experts, as well as a large part of its resources, which could be better spent.

The Committee has attempted to deal with the workload by creating three subcommittees and four working groups. However, the members, consultant experts and the Committee as a whole are not able to carry out all the tasks for which they are responsible. It is essential that the Security Council pay particular attention to the 1540 Committee and give it sufficient means to carry out the tasks entrusted to it.

The comprehensive review of the status of implementation produced several ideas that could strengthen the capacity of the Committee to better fulfil its mandate.

In my opinion, the Committee should not build a much more extensive structure, nor should it become a direct provider of technical assistance. Rather, the Committee should have the means to become the centre of a network that shares the general purpose of the resolution. I have worked in this direction through working visits to the International Atomic Energy Agency, the World Customs Organization and the Organization for the Prohibition of Chemical Weapons. I have also met with regional organizations and many non-governmental organizations which have resources and expertise at their disposal to collaborate in the strengthening of global security.

This network is possible, but the Council would have to give the Committee the means to make it a reality. In my opinion, the building of such a network, the design of the relevant shared tools that would enable joint work and the negotiation and implementation of agreements to foster cooperation all justify expanding the number of experts supporting the Committee to ten. That increase should also take into account the other recommendations I will make later.

In my view, the expert capacity of the Committee, once it has been expanded, should focus primarily on dialogue with States, specialized bodies and regional and subregional organizations in order to build a network responsible for designing and implementing differentiated strategies for accelerating the process of implementation. An indispensable component of any strategy to strengthen the Committee is mechanisms to facilitate the voluntary financing of activities to speed up its implementation.

I should now like to set out some observations and recommendations on the expertise that supports the Committee and how it might be reinforced. I believe that such reinforcement must take into account the quantitative aspect that I have already mentioned: the number of experts must be increased in order to fulfil the mandated tasks. But I believe that the legitimacy of the Committee must also be reinforced through the assurance that such expertise be delivered by United Nations staff members, observing the Organization's regular procedures. The consultants of the 1540 Committee are the only experts supporting a subsidiary body of the Council that are not selected by the Secretariat. During the process of appointing three of the experts, that led to situations that I, as a representative of a Member State of this Organization, consider extremely irregular.

I am pleased to recognize the work, professionalism and dedication of the Group of Experts, but I believe the interests of the Committee would be better served if the Office for Disarmament Affairs were to be in charge of providing the substantive support that is currently provided by this group of consultants. I am also pleased to confirm that the questions that were initially posed regarding the legitimacy of the resolution seem to have disappeared, as have the initial doubts on the need for the Committee. This represents a concrete achievement by the Committee and the Group of Experts that supports it.

It is now up to the Security Council to contribute to consolidating the perception of the Committee as a body that promotes global security by adopting decisions that further favour ownership of the process of implementing the resolution and the exercise of responsibility by every Member State.

I conclude by offering a few considerations on the general implementation strategy. I regret that the comprehensive review of the status of implementation of resolution 1540 (2004) did not provide all the answers it was supposed to. Identifying the evolving risks and threats is still a pending issue. Perhaps the need for compromise on the scope of the exercise prevented the Committee from having the instruments necessary to obtain the desired information.

However, the comprehensive review did offer alternative approaches to facilitating the implementation of resolution 1540 (2004). For example, it affirmed the enormous potential of regional and subregional organizations to support the purpose of the resolution and the work of the Committee. In my opinion, it is imperative to break with the approach according to which one single strategy can guarantee results in all situations. The nature of resolution 1540 (2004), unprecedented for the Security Council, justifies very close cooperation with the aforementioned international organizations.

It is thus a question of promoting the adoption of new legislation in all countries, the implementation of new measures, the establishment of new controls, and their guaranteed effective enforcement. Such an ambitious undertaking cannot be achieved without a broad process of international cooperation that necessarily includes regional and subregional organizations.

There are already a few examples of successful regional cooperation that with time will prove to be efficient instruments in achieving specific goals, such as the inclusion of implementation as a national priority, the widespread creation of local focal points, the broader use of national implementation plans, requests for assistance and, generally, the establishment of higher-quality dialogue between the Committee and Member States.

Finally, as I leave the chairmanship of the 1540 Committee, I respectfully urge the Council to discuss the following suggestions.

First, the Security Council should instruct the 1540 Committee to focus its efforts on building and making operational a worldwide cooperation network involving specialized, regional, subregional and civil society organizations, as well as the private sector and academia.

Secondly, the Security Council should increase to 10 the number of experts supporting the work of the Committee.

Thirdly, the Council should take the necessary steps to ensure that the expertise supporting the Committee's work is delivered through established United Nations procedure through the Office for Disarmament Affairs.

Fourthly, the Council should instruct the Committee to design and implement additional mechanisms for the voluntary financing of its activities.

Fifthly, the Council should assess and monitor the evolving risks and threats concerning the possibility of weapons of mass destruction falling into the hands of non-State actors.

Sixthly, the Council should instruct the Committee to strengthen its cooperation with regional and subregional bodies in the joint design and application of differentiated implementation strategies.

Personally, and on behalf of my country, I am grateful for the opportunity to have served on the 1540 Committee and urge Council members to promptly review those suggestions whose only intention is to transform our ongoing movement into genuine action.

The President (*spoke in French*): I thank Ambassador Urbina for his briefing.

I now give the floor to the Chairman of the Security Council resolution 1521 (2003) concerning Liberia.

Mr. Shalgham (Libyan Arab Jamahiriya) (*spoke in Arabic*): Permit me to take this opportunity to share with the Council some observations relating to the Security Council Committee established pursuant to resolution 1521 (2003) on Liberia and the relevant sanctions regime. Libya has had the honour to chair the Committee over the past two years.

We are all aware of the sensitive situation in Liberia following a period of instability, war,

confrontation and destruction. In May, we visited the United Nations forces in Liberia and witnessed first-hand the difficulties, changes and challenges they are facing. The Group of Experts entrusted to follow up on the sanctions on Liberia specified a number of tracks to assess and monitor: the diamond trade, the arms embargo, forestry, trade and investment, frozen assets and the movement of persons.

The Group created an accurate position and framework of reference for all those tracks. With regard to forestry, for example, there has been progress in the bidding on thousands of hectares of lumber and rubber for investment. There is some discrepancy in the numbers, but it does not represent a significant problem.

We are all aware of the situation in the region. The neighbouring States Côte d'Ivoire and Guinea remain unstable and subject to the movement of illicit arms initiated not by Governments but by individuals.

With regard to certain frozen assets, I can say that they are generally under control, while the Committee has effectively followed up and monitored the movement of persons. I can also say that the team of experts has gathered accurate information in that regard.

The Committee's report notes that while the Government is trying to achieve a considerable level of transparency in exports, imports and taxation, it is facing logistical difficulties that it cannot fully overcome.

The report of the Group of Experts contains recommendations that I consider to be practical, and we call on the members of the Council and the Committee to voice their opinions on these recommendations. I believe the report's recommendations to be objective and operable.

The report is comprehensive, long and detailed, and we have transmitted it to the President for distribution. I wish to thank him and all the members of the Council for the confidence they have shown in my country by inviting it to chair the 1521 Committee. I also wish to thank the Secretariat for its assistance to us. I wish our successors on the Committee great success. In conclusion, I reiterate my thanks to you, Sir, and the other members of the Council.

The President (*spoke in French*): I thank Ambassador Shalgham for his briefing.

I would like to take this opportunity, on behalf of the Security Council, to express appreciation to the outgoing Chairmen for the manner in which they have discharged the important responsibilities entrusted to them by the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.05 a.m.

United Nations S/PV.6239

Security Council

Sixty-fourth year

Provisional

6239th meeting

Monday, 14 December 2009, 11.05 a.m.

New York

President:	Mr. Kafando	(Burkina Faso)
Members:	Austria	Mr. Mayr-Harting
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Hernández-Milian
	Croatia	Mr. Vilović
	France	Mr. De Rivière
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Shalgham
	Mexico	Mr. Heller
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2009/609)

Report of the Secretary-General on his mission of good offices in Cyprus (S/2009/610)

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09-64656 (E)

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The meeting was called to order at 11.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2009/609)

Report of the Secretary-General on his mission of good offices in Cyprus (S/2009/610)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/641, which contains the text of a draft resolution submitted by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States America.

I should also like to draw the attention of participants to the report of the Secretary-General on the United Nations operation in Cyprus, which has been issued as document S/2009/609, and to the report of the Secretary-General on his mission of good offices in Cyprus, which has been issued as document S/2009/610.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I should like to inform the Council that the presidency of the Council has met with the representatives of the parties, who maintain their well-known positions vis-à-vis the item on the Council's agenda. On the basis of those meetings, with the consent of the members of the Council, the presidency has drawn the conclusion that the Council can proceed to take a decision of the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

Against:

Turkey

The President (*spoke in French*): There were 14 votes in favour and one against. The draft resolution has been adopted as resolution 1898 (2009).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Apakan (Turkey): Having voted against today's resolution, I would like briefly to share with the Council the reasons that compelled us to do so.

Turkey has never objected to the intention behind the establishment of the United Nations Peacekeeping Force in Cyprus (UNFICYP) back in 1964, which was to protect Turkish Cypriots. Our objections have always been to the method through which resolutions such as today's have been adopted and the language they contain. Resolution 186 (1964), which set up the United Nations Peacekeeping Force in Cyprus, and subsequent resolutions extending the mandate of the Force have all made references to the Government of Cyprus.

As all members know, the partnership State established by the 1959 London and Zurich Agreements in the shape of the Republic of Cyprus and the Government of Cyprus, collapsed in 1963, when Turkish Cypriots were expelled from all State institutions, including the Government. Since that day, there has not been a joint constitutional Government representing all of Cyprus, either legally or functionally, and the two peoples have been living separately under their own administrations. Actually, this wrong approach of considering the Government of Cyprus as the Government of the whole island has been the main obstacle in the way to finding a just, lasting and comprehensive solution for over 45 years.

The spirit of goodwill and cooperation displayed by the Turkish Cypriot side, which enabled UNFICYP to function in the northern part of the island in accordance with the modalities set by the Turkish Republic of Northern Cyprus, does not change the fact that the open consent of the two sides has to be sought for the extension of the mandate of UNFICYP. However, today's resolution once again fails to do so.

In line with the provisions on contingency planning in resolution 1873 (2009) and the intention to keep all peacekeeping operations, including UNFICYP, under review, the Secretary-General says in his report (S/2009/609) that the two sides will decide what role UNFICYP will play in the future. If the Turkish Cypriot side has a say in the future of UNFICYP, why is its consent not sought today? That looks like a paradox.

The resolution adopted today also contained elements dealing with the good offices mission of the Secretary-General but unfortunately fails to make any reference to resolution 1250 (1999), which lies at the service of this mission. Turkey fully supports the Secretary-General's good offices mission. We welcome the solid progress achieved so far in the negotiations, which aim at establishing a partnership State on the basis of well-established United Nations parameters, namely bi-zonality, political equality and equal status of two co-founder peoples. As the two leaders agreed on 23 May 2008, this new partnership will have a federal Government and two constituent States with equal status.

In that regard, we would like to put on record our full support to the efforts of the Special Adviser of the Secretary-General, Mr. Alexander Downer, and his team.

The President (*spoke in French*): The Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.10 a.m.